

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CRAIG CUNNINGHAM,

Plaintiff,

v.

MICHAEL MONTES, Tollfreezone.com, Inc.,
Mydataguys.com, LLC, Podmusicgear.com, Inc.,
Tollfreezone.com, Inc., dba Docauditor.com,
Tollfreezone.com, Inc., dba Mobile Trackme,
Emailmyvmail.Com, Inc., and John and Jane Does 1-10,

Case No. 16-cv-761

Defendants.

**OBJECTION TO PLAINTIFF'S
MOTION FOR ISSUANCE OF SUBPOENAS**

NOW COME all Defendants, except John and Jane Does 1-10, by and through their attorneys, Axley Brynelson, LLP, by Kevin D. Trost, and request the court deny the plaintiff's motion seeking the issuance of subpoenas for the following reasons:

1. Defendants have filed a notice of appeal regarding the court's decision resulting in an entry of judgment. *Olympia Equipment Leasing Co. v. Western Union Tel. Co.*, 786 F.2d 794 (7th Cir. 1986).

2. Amy Montes is not a defendant in this lawsuit and no judgment has been entered against her. No subpoena concerning her accounts is proper.

Dated this 25th day of July, 2017.

AXLEY BRYNELSON, LLP

s/ Kevin D. Trost

Kevin D. Trost, State Bar No. 1028231

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